

REMARKS

.Claims 1 and 3-10 are now pending in this patent application.

In this paper, claim 2 has been canceled, and claims 1 and 3-10 have been amended. In all of the now-pending claims, reference characters in parentheses, which are unnecessary, have been deleted. Other amendments to the claims are explained in the discussion below.

OBJECTIONS TO CLAIMS

The amendments to the claims made in this paper have obviated all of the Examiner's objections to the claims. In particular, claims 6 and 7 now employ accepted language for multiple dependent claims.

In view of the amendments to the claims made herein, Applicant requests that the objections to the claims be withdrawn.

PRIOR ART REJECTION I

Claims 1-3 were rejected under 35 USC § 102(b) as being anticipated by EP 0 679 406 A1 (per the Examiner, "Berendsen"). Applicant traverses this rejection insofar as it might be deemed applicable to claims 1 and 3 as now presented.

In this paper, claim 2 has been canceled, and subject matter that had been recited in claim 2 has been added to claim 1. In addition, claim 1 has been amended to recite (a) the exhaust duct as having an exhaust air valve, (b) the outflow as containing a siphon bend and (c) the location where the exhaust duct opens into the outflow as being at a location downstream of the siphon bend. Support for the amendments to claim 1 can be found in the original drawing figure in this application.

The method disclosed and claimed in this patent application incorporates a combination of steps whereby items in a closed chamber are automatically cleaned, disinfected and dried, while ensuring that recontamination of the items does not occur, water consumption is minimized and that personnel operating the equipment are not subjected to scalding from hot vapor used in the cleaning and disinfecting process. These attributes of the disclosed and claimed

method are not achieved in known cleaning apparatuses, and, in particular, they cannot be achieved by the method disclosed in Berendsen.

Berendsen discloses a method and apparatus that is specifically designed for the cleaning of pneumatically powered dental tools. These tools have a small volume passages that require sterilization; they do not contain large quantities of liquid waste, as it is the case with items such as bedpans etc., which can be cleaned by the method of the present invention. The method and apparatus disclosed by Berendsen provide for coupling tubes carrying supplies of cleaning and drying agents with individual passages in the tools. The Berendsen method and apparatus are not suited for cleaning and disinfecting large quantities of contaminants. There is no disclosure in Berendsen of cleaning *items that are disposed in a chamber*; there is no disclosure in Berendsen of introducing air *into the chamber*; there is no disclosure in Berendsen of conveying air out of the closed chamber through an exhaust air duct having an exhaust air valve and into an outflow having a siphon bend at a location downstream of the siphon bend. (This ensures that a user of the device does not come into contact with moist exhaust air from the cleaning chamber, which might contain dangerous microorganisms.) Thus, it is evident that the disclosure in Berendsen is seriously deficient vis-à-vis the requirements of Applicant's amended claim 1.

In view of the foregoing observations, Applicant submits that the disclosure in Berendsen cannot properly serve as a basis for rejecting any of claims 1 and 3, as now presented, under 35 USC § 102(b). Applicant therefore requests that this rejection be withdrawn.

PRIOR ART REJECTION II

Claims 4-6 were rejected under 35 USC § 103(a) as being unpatentable over Berendsen in view of US 5225160 (Sanford et al.)

The Examiner inferentially acknowledges that the disclosure in Berendsen is not sufficient to meet the requirements of Applicant's claims. As a remedy for this deficiency, the Examiner relies on the disclosure in Sanford et al. As characterized by the Examiner on page , Sanford et al. "teaches the circulation of ambient air in cooling objects after steam sterilization (col. 5, lines 3-7) as an equivalent method of accelerating the cleaning process." The Examiner contends that "it would have been obvious to one having ordinary skill in the art at the time the

invention was made to circulate the ambient air of Stanford '1 60, as an alternative equivalent in the method of Berendsen '406, in order to accelerate the cleaning process."

As pointed out in the discussion above, in the Berendsen method, individual passages in dental tools are subjected to cleaning and drying; there is no disclosure in Berendsen of subjecting *items in a chamber* to cleaning and drying agents. The modification of the Berendsen method proposed by the Examiner would thus fundamentally alter the method taught by Berendsen, and the resulting method would not be recognizable as a method taught by Berendsen. Such a modification cannot be fairly regarded as one that would have been obvious. See the guidelines stated in MPEP 2143.01 V.

Applicant also observes that Sanford et al. offers no remedy for deficiencies in the Berendsen disclosure vis-à-vis the requirements of amended claim 1, as argued above. Accordingly, no reasonable combination of the teachings in Berendsen and Sanford et al. could yield a method meeting the requirements of dependent claims 4-6.

In view of the foregoing observations, Applicant submits that no reasonable combination of the disclosures in the disclosure in Berendsen and Stanford et al. can properly serve as a basis for rejecting any of claims 4-6, as now presented, under 35 USC § 103(a). Applicant therefore requests that this rejection be withdrawn.

ALLOWABILITY OF CLAIMS 7-10

Claims 7-10, which were not examined on their merits in the outstanding Office Action, depend directly or indirectly from claim 1, which Applicant has shown to be allowable. Claims 7-10 are therefore allowable at least because of their dependence from an allowable parent claim. Claims 7-10 also recite additional patentable departures from the prior art applied by the Examiner.

CONCLUSION

In view of the amendments, observations and arguments presented herein, Applicant respectfully requests that the Examiner reconsider and withdraw the objections and rejections stated in the outstanding Office Action and recognize all of the pending claims as allowable.

If unresolved matters remain in this application, the Examiner is invited to contact Frederick R. Handren, Reg. No. 32,874, at the telephone number provided below, so that these matters can be addressed and resolved expeditiously.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.17, particularly, extension of time fees.

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Respectfully submitted,

By *Frederick R. Handren*
for Andrew D. Meikle #32874
Registration No.: 32,868
BIRCH, STEWART, KOLASCH & BIRCH, LLP
8110 Gatehouse Road
Suite 100 East
P.O. Box 747
Falls Church, Virginia 22040-0747
(703) 205-8000
Attorney for Applicant